

HOUSE BILL 172

Unofficial Copy  
F2

2004 Regular Session  
(4lr0361)

**ENROLLED BILL**

-- Ways and Means/Education, Health, and Environmental Affairs --

Introduced by **Delegates G. Clagett, Bobo, Conroy, DeBoy, James, King, Leopold, Madaleno, Mandel, Parker, Parrott, and Pendergrass Pendergrass, Goodwin, Kaiser, Ross, Bartlett, Bozman, Heller, Myers, McKee, Marriott, Hixson, Healey, C. Davis, Howard, Gordon, Patterson, Cardin, Ramirez, Elmore, McMillan, Hogan, Weldon, Bohanan, Boschert, Boteler, Bromwell, Brown, Burns, Cadden, V. Clagett, Cluster, Cryor, Donoghue, Dumais, Dwyer, Elliott, Fulton, Gilleland, Glassman, Griffith, Hennessy, Holmes, Impallaria, Jameson, Jennings, Kach, Kelly, McComas, McDonough, Miller, Minnick, Mitchell, Quinter, Shank, Simmons, Smigiel, Sophocleus, Sossi, Stocksedale, Stull, Trueschler, Vaughn, and Zirkin**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Higher Education - Resident Tuition Charges - United States Military**  
3 **Personnel, Spouses, and Dependents**

4 FOR the purpose of establishing that certain military personnel, spouses, and  
5 dependents of military personnel, and certain veterans are exempt from paying  
6 nonresident tuition at certain public institutions of higher education under  
7 certain circumstances; requiring the Maryland Higher Education Commission to

1 adopt certain regulations; and generally relating to tuition charges for certain  
2 individuals attending public institutions of higher education in the State.

3 BY adding to  
4 Article - Education  
5 Section 15-106.3  
6 Annotated Code of Maryland  
7 (2001 Replacement Volume and 2003 Supplement)

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
9 MARYLAND, That the Laws of Maryland read as follows:

10 **Article - Education**

11 15-106.3.

12 (A) THIS SECTION APPLIES TO THE FOLLOWING INDIVIDUALS:

13 (1) AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES;

14 (2) THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES  
15 ARMED FORCES;

16 (3) A FINANCIALLY DEPENDENT CHILD OF AN ACTIVE DUTY MEMBER OF  
17 THE UNITED STATES ARMED FORCES; OR

18 (4) AN HONORABLY DISCHARGED VETERAN OF THE UNITED STATES  
19 ARMED FORCES.

20 (B) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE,  
21 BEGINNING WITH THE 2004 FALL SEMESTER, AN INDIVIDUAL DESCRIBED IN  
22 SUBSECTION (A) OF THIS SECTION WHO REGISTERS AS AN ENTERING STUDENT IN A  
23 PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE STATE IS EXEMPT FROM  
24 PAYING NONRESIDENT TUITION AT A PUBLIC INSTITUTION OF HIGHER EDUCATION  
25 IN THIS STATE IF:

26 (1) THE ACTIVE DUTY MEMBER REFERRED TO IN SUBSECTION (A) OF  
27 THIS SECTION:

28 (I) IS STATIONED IN THIS STATE;

29 (II) RESIDES IN THIS STATE; OR

30 (III) IS DOMICILED IN THIS STATE; OR

31 (2) THE HONORABLY DISCHARGED VETERAN PRESENTS THE  
32 FOLLOWING DOCUMENTATION WITHIN 1 YEAR AFTER THE VETERAN'S DISCHARGE:

33 (I) EVIDENCE THAT THE VETERAN ATTENDED A PUBLIC OR  
34 PRIVATE SECONDARY SCHOOL IN THIS STATE FOR AT LEAST 3 YEARS; AND

1 (II) DOCUMENTATION THAT THE VETERAN GRADUATED FROM A  
2 PUBLIC OR PRIVATE SECONDARY SCHOOL IN THIS STATE OR RECEIVED THE  
3 EQUIVALENT OF A HIGH SCHOOL DIPLOMA IN THIS STATE.

4 (C) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE,  
5 BEGINNING WITH THE 2004 FALL SEMESTER, A SPOUSE OR FINANCIALLY  
6 DEPENDENT CHILD OF AN ACTIVE DUTY MEMBER WHO ~~IS ENROLLED AT AN~~  
7 ENROLLS AS AN ENTERING STUDENT IN A PUBLIC INSTITUTION OF HIGHER  
8 EDUCATION AND IS EXEMPT FROM PAYING NONRESIDENT TUITION UNDER  
9 SUBSECTION (B) OF THIS SECTION SHALL CONTINUE TO BE EXEMPT FROM PAYING  
10 NONRESIDENT TUITION IF:

11 (1) THE ACTIVE DUTY MEMBER NO LONGER MEETS THE REQUIREMENTS  
12 OF SUBSECTION (B)(1) OF THIS SECTION; AND

13 (2) THE SPOUSE OR FINANCIALLY DEPENDENT CHILD REMAINS  
14 CONTINUOUSLY ENROLLED AT THE PUBLIC INSTITUTION OF HIGHER EDUCATION.

15 (D) THE COMMISSION SHALL ADOPT REGULATIONS IN ACCORDANCE WITH  
16 TITLE 10, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE TO IMPLEMENT THE  
17 PROVISIONS OF THIS SECTION.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 July 1, 2004.